



VOTE NO ON AB 1542

FLOOR ALERT - AB 1542 (WARD) – OPPOSE

AB 1542 would change the California Consumer Privacy Act (CCPA) from a “right to limit” model to a categorical prohibition, removing consumer choice / autonomy over data privacy rights for the first time since the law was enacted in 2018.

Under the CCPA, Californian can exercise a wide range of rights relating to the collection, processing, use, sale, sharing, disclosure, deletion, or access of their personal information, including sensitive personal information. These protections apply to first party businesses consumers directly interact with, and their service providers and contractors, but many of the protections also apply to third parties such as data brokers, giving consumers significant control over their own data in a comprehensive and uniform way. This bill now takes away that control and overrides their choices.

AB 1542’s unintended consequences stretches across business, security, social and political spheres, because the CCPA is an industry and technology neutral law premised on incredibly broad definitions, where terms like “sale” don’t just mean “sale” and “third party” doesn’t just include entities like data brokers but also governmental entities, researchers, and nonprofits and political organizations.

A categorical ban could therefore result in serious safety risks, such as potentially preventing a business from sharing precise geolocation data with first responders in a car crash – even with consumer consent. It could also disrupt routine and lawful data-sharing practices that support core online operations and security, interfering with fraud-prevention activities.

In addition, nonprofits, universities, and public health researchers could face limits on access to sensitive data needed to track vaccination coverage or disease outbreaks, while small businesses, startups, and political campaigns could lose access to third-party advertising and measurement tools that rely on data such as geolocation, leaving them increasingly dependent on the self-reported metrics of the largest platforms.

If bad actors exist that do not adhere to CCPA limits placed on third parties, or consumers do not know their rights, the answers lie in enforcement and education – not laws like AB 1542 that substitute regulatory judgment for consumer choice.

The law should support a personal right of privacy, not enforce a “one size fits all” approach to privacy.

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Sincerely,



Ronak Daylami

Vice President for Advocacy | Privacy, Cybersecurity & Emerging Technologies
on behalf of

American Property Casualty Association, Laura Curtis
Association of National Advertisers, Christopher Oswald
CalBroadband, Amanda Gualderama
California Chamber of Commerce, Ronak Daylami
California's Credit Unions, Eileen Ricker
California Retailers Association, Jacob Brint
Chamber of Progress, Robert Singleton
Civil Justice Association of California, Annalee Augustine
Computer & Communications Industry Association, Aodhan Downey
Internet.Works, Austin Heyworth
Insights Association, Howard Fienberg
Software Information Industry Association, Abigail Wilson
TechCA, Courtney Jensen
TechNet, Robert Boykin
The 4As – American Association of Advertising Agencies, Alison Pepper

cc: Legislative Affairs, Office of the Governor
Charles Loudon, Office of Assemblymember Ward
Julie Salley, Consultant, Assembly Privacy and Consumer Protection Committee
Liz Enea, Consultant, Assembly Republican Caucus
Members, California State Assembly

RD:ldl